IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 14845 of 2004

Between:

P.V. Jaya Rama Rao S/o Venkateswara Rao , aged 42 years,
R/o 10-73, Island Centre, Cherukupally Main road, Cherukupally Mandal, Guntur

..... PETITIONER

AND

1 Hindustan Petroleum Corporation Ltd., Regional Office, Vijayawada LPG RO

Industrial Development Area, Kondapalli-521 226 rep by Sr. Regional Manager
2 Dealer Selection Board-Hyd C/o Hindustan Petroleum Corpn. Ltd., 4th Floor, 130/1,
Sebastian Road Sarojini Devi road, Secunderabad 500003 rep by Chairman
3 The Government of India, Ministry of Petroleum and Natural Gas, Tel Bhavan,

New Delhi

4 M.S.L. Gouri Devi R/o Flat No.6, II Floor, Sakala, Ramachandranagar,Vijayawada-

16 (R.4 is impleaded as per Court order dt.19.01.2005 in WPMP No.287/2005).

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to pass an order or Writ more particularly one in the nature of Mandamus declaring the action of the 1st and 2nd respondents in selecting and appointing the 4th respondent as Distributor in Liquid Petroleum Gas at Nagaram Mandal in Guntur District in pursuance of the paper notification issued by the 1st respondent on 31-01-2004 in preference to the petitioner without recourse to procedure and policy guidelines in the matter of selection and appointment of Distributors, and vitiated by non-

Compliance with minimum requirements principles of fairness and transparency in selection of distributors and award of the distributorship and hence illegal, arbitrary, and unreasonable offending Article 14 of the Constitution of India, and consequently direct the 1st and 2nd respondents to appoint the petitioner as Distributor of LPG Gas of HPCL in Nagaram Mandal, Guntur District.

(Prayer is amended as per Court order, dated 20.01.2005 in WPMP No.631 of 2005)

Counsel for the Petitioner:MR.S.SRI RAM

Counsel for the Respondents 1 to 3: Central Government Standing Counsel

Counsel for the respondent No.4 : None appeared.

The Court made the following :

O R D E R:

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The petitioner questions the action of the respondents 1 and 2 in selecting and appointing the 4th respondent as LPG distributor.

Learned counsel appearing for the first respondent submits that the respondents have cancelled the appointment of HP Gas Distributorship in respect of the subject matter of the LPG gas agency by notification
dated 26-03-2005 which was also published in Deccan Chronicle English Daily dt.26.03.2005.

In view of the cancellation of the said dealership, the cause of action does not survive and accordingly, the Writ Petition is closed. No costs.

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V.ESWARAIAH, J

Dated:28-03-2005

CCM

To:

1 The Sr. Regional Manager, Hindustan Petroleum Corporation Ltd., Regional Office,

Vijayawada LPG RO Industrial Development Area, Kondapalli-521 226
2 The Chairman,Dealer Selection Board-Hyd C/o Hindustan Petroleum Corpn. Ltd., 4th

Floor, 130/1, Sebastian Road Sarojini Devi road, Secunderabad 500003
3 The Government of India, Ministry of Petroleum and Natural Gas, Tel Bhavan,

New Delhi

4 2 CD copies.